

June 24, 2014
Selectmen's Meeting/Approved Minutes

Present: Selectmen: Chairman, C. Moser, B. O'Grady, L. Lavoie, & A.A. Milkovits
Treasurer P. Letourneau, TC D. Morrison

21 residents were present. After Broadband discussion ended, only 8 residents remained for the rest of the meeting

Agenda:

Meeting opened at 7:33 PM at the town hall to accommodate the extra audience. The check manifest and payroll manifests were reviewed and approved. Selectmen's meeting minutes from June 10, 2014 were reviewed. Selectman Lavoie felt that the minutes would be better represented by including the Town Clerk's statement. Mrs. Lavoie did not feel that the statement was substantiated. Chairman Moser mentioned "nasty emails, notes and letters" that were referenced in Mrs. Morrison's statement. The Selectmen discussed some other concerns that were brought up by Mrs. Morrison. Mrs. Lavoie also stated that another statement that Mrs. Morrison had read at a prior meeting was included as part of the minutes and she questioned why this statement was not. Selectman Lavoie objected to the issues and was frustrated with the situation. Mrs. Morrison had not submitted her statement at this time. The Chairman stated that the Board will ask her again or through counsel for the statement. Mrs. Lavoie stated that the Selectmen are held to a high level of accountability and she felt that every other person should be held to the same level. After more discussion, the minutes as written for the June 10th Selectmen's meeting were approved by two Selectmen with one abstaining.

Appointments:

1. Treasurer Pat Letourneau introduced Mary Bardsley, Briggs Road, to the Board. She has appointed Mrs. Bardsley to be Deputy Treasurer to replace former Deputy Treasurer Garth Fletcher. Mrs. Bardsley explained her financial background. The Treasurer will introduce Mrs. Bardsley to the town's contacts at People's United Bank. Selectmen approved the appointment which will expire March, 2015.
2. Town Clerk Debra Morrison presented the 2014 Unlicensed Dog Warrant for the Board to sign. This allows the Town Clerk to collect the civil forfeitures on the unlicensed dogs. The Town Clerk's Office will be calling owners of unlicensed dogs to remind them to license the dogs before placing a civil forfeiture on the owners.
3. FairPoint Broadband representative Ellen Scarponi and State Representative Melanie Levesque, State Representative Jack Flanagan and State Senator Peggy Gilmore met to discuss internet options for the Town of Mason. Ms. Scarponi explained her career as Director of Government Relations with FairPoint. She conducts meetings with towns to help FairPoint see where the service is, what towns want and to come up with solutions. FairPoint is committed to expanding broadband a significant amount in NH. Ms. Scarponi explained how they have helped out small towns. They are particularly interested in the "un-served" and "underserved" who don't have a bandwidth service to do what they want and need to do. Stephen Hoffman, Mason Broadband Committee, was also present to discuss the broadband options. He explained the Broadband Committee

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task: Broadband mapping, speed test, and making sure state maps match reality. The mapping project is an inexact science as it is done by census blocks, so it is not very accurate. FairPoint claims that 95% of the state is covered by some kind of broadband. They need to determine who does not have broadband and canvas areas to get accurate information and to quantify the problem. Ms. Scarponi invited any residents present who are un-served or underserved, to mark their addresses on a map provided by the town tax mapper, Robert Larochelle. Several residents stepped forward and to do this. Some residents explained that portions of their street have DSL, where their side does not. Some problem areas were portions of Withee Brook Road, Starch Mill Road, and Sand Pit Road. Ms. Scarponi stated that she will check out all addresses and try to find out solutions for this problem. DSL service and a carrier Ethernet for business/educational service may work and research could be done to find out costs. Ms. Scarponi explained that the investments would be made by the town then FairPoint would do the maintenance, etc. The Universal Service fee is collected but not much (.41 for each dollar) is returned to NH. FairPoint needs to identify the holes in the coverage. HB 286 would allow towns to build and bond their own broadband but internet providers are opposed to the bill. There may be too much risk to towns. How does a town buy broadband? By having a special assessment district. The town could create a district and just assess that portion which would not encumber the rest of the town. Some residents questioned why the ones that have the DSL aren't paying and why should others pay for the expansion. FairPoint will give estimates of cost to bring in DSL to the rest of the town, after researching this new information. The town may also explore other carriers for internet.

Selectmen reviewed the following:

Old Business:

1. Fully executed contract with NRPC for the Planning Assistant.
2. Road Agent job description: The existing job description will be used with the following amendments: change to 10 years of experience and eliminate the physical and environmental, advertise salary range? Not. Decide what? NHMA website, Telegraph, check out other associations. Send copy to Selectmen.
3. Re: Response from Assessor for questions from two property owners on Townsend Road.
4. Re: Calphams Bedford Holdings, LLC Abatement – letter signed for property owner that detailed amount of abatement for each property and tax year.
5. Re: Magnesium order: Savings of \$1,058.80 on order.

Selectmen signed the following:

1. Yield Warrants: Lots C-5, C-24 owned by Conservation Commission – no tax due per Selectmen's agreement dated 8/14/2013. Lot E-1, MacGarvey owner, \$324.68

New Business:

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1. 2013 Abatement applications as completed by the Assessor and approved by Selectmen:

- Rota, lot K-48-1, revised assessment \$525,159, abated \$33,800
- Starr, lot E-8, revised assessment \$81,200, abated \$66,700
- First R.T. Lavoie Family Trust, lot L-25-6, revised assessment \$204,900, abated 6,800
- Hauri & Chepjian, lot H-32-2, revised assessment \$580,400, abated \$27,600
- Kelly, lot K-49-7, revised assessment \$300,800, abated \$10,700
- Comerford, lot J-36-1, revised assessment \$300,800, abated \$19,200

Refund checks will be issued and signed at the next meeting.

2. Highway Department sent in a request to order diesel. This request was approved unanimously by the Selectmen.
3. Revised 2013 income/expenditures –tabled until the Board does further review.
4. Social Media policy: Chairman Moser stated that in a recent training session he learned that having a Face Book page is dangerous for a town. Since there is a constitutional right to free speech, anybody can post anything. The Board of Selectmen would not be able to take down any post as this would be in violation of free speech. In addition there would be the question of retention of the posts and the liability for re-publishing slander or libelous comment. Selectman Lavoie attended training at the Selectmen Institute and shared similar concerns. She felt that the proposal for having a Face Book page had never been brought before the Board for discussion, nor the proposal for having Twitter either. Mrs. Lavoie did a survey of 40 towns to see if the towns had Face Book and Twitter. It seemed only the larger towns used the social media. She feels it's a risk for the town. Selectman O'Grady is not in favor either. A motion was made, seconded and voted in the affirmative by the Selectmen to have the webmaster archive the present information on the town's Face Book page and delete the town's Face Book and Twitter accounts. A question arose about the Library's Face Book page. The Selectmen do not see the use for Face Book or Twitter and will speak to the Librarian to halt the use of both media for the Library.
5. Fish & Game OHRV Grant application for \$1,080 – This grant provides money for enforcement by Police Department of violations by OHRVs. The contractor for the grant, either Chairman of Selectmen or Police Chief, needs to be established and voted at the meeting. Also a copy of town's proof of insurance needs to be sent with the grant application. Selectman O'Grady didn't understand the grant and was concerned that the PD would take time away from patrolling Mason to participate in the grant. This application will be tabled until the Board of Selectmen speaks to Police Chief Hutchins; they feel it needs more study.
6. Ledger Transcript 91-A request: Chairman Moser drafted and sent a letter to the reporter acknowledging receipt of the 91-A request and citing difficulties in responding to the request due to its broadness. It may take up to 21 days to gather and filter the emails, letters, notes, etc. Mr. Moser also inquired what other department's emails should be included in this request.
7. Police logs

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8. Building Permits: Oil burner permit – Starr, lot L-37-2; # 14-12 Anderson, lot E-62-1, 24'x36' garage; #14-13 Davis, lot D-16, 20'x20' barn. Selectmen had questions on the permit applications, specifically setbacks. They need more information on lot E-62-1 and lot D-16. Robert Bergeron, Deputy BI was present for the discussion and stated he would be willing to learn the process for permitting as he has not been actively involved at this point.
9. Completion Certificates: Guest, lot F-11-1 kitchen renovation; Ox-Bow Construction, lot D-34-3, new house; Lieberman, lot B-1, septic replacement; Starr, lot L-37-2, new house; Ardito, lot L-45, barn
10. Email from Barbara Devore, Wilton Road, concerning building of a temporary stage at the Driving Range. The stage is being built because the D.R. is hosting a Country Western singer concert on July 4, 2014. She also discussed other concerts held at the Driving Range. Mrs. Devore stated that she can hear the concerts from her second residence on Valley Road. Chairman Moser expressed his concern for the events at the D.R. getting bigger and concern for the temporary stage structure. He stated that there should be a site plan review. There seems to be a change of use and additional events at the D. R., such as a Tiki bar on Thursday nights. Barbara Devore was present for the discussion and spoke about traffic issues when these events occur and felt there is a problem. Parking is only allowed on one side of the road during any events. She felt that the stage will accommodate more people and music will be heard and felt on Valley Road. Selectman O'Grady felt there is still a problem. It is a mobile stage being built which may or may not require a building permit. Selectman Lavoie questioned the stability of the crushed gravel that the stage is sitting on. All agreed that it could have required a building permit. The Board needs to talk to the owner but maybe the Planning Board needs to also address this issue. Maybe the PB could have an informational discussion with Mr. Ruggiero, owner of the Driving Range. Selectmen discussed several concerns with this issue: if construction of the stage without a building permit may have extended the property into a new use; the need for a Site Plan Review; what is long range intent; is it temporary or permanent, etc. Chairman Moser will work on a letter to Mr. Ruggiero about these issues and invite Mr. Ruggiero to a meeting to discuss them.
11. Other: Library requires 3 tables moved to back of Mann House for summer reading program.
Again, the need to replace moldy air conditioners was discussed.
12. Public Forum:
When is paving going to occur: Selectman O'Grady stated that it will be two to three weeks before the paving project starts. They will be grinding Wilton Road first then grinding and paving Brookline Road.
Issue with Planning Board: Chairman Moser stated that the details did not match the Planning Board minutes. Wolfgang Millbrandt, Starch Mill Road, and purchaser of lot C-19 was present for this discussion. New conditions were added after conditions were met. It didn't make sense to add conditions after a decision was made. There needs to be a procedure for Planning Board to make decisions; specifically to tighten up the notice of decision. Concern was expressed for

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NRPC's assistance in this hearing. Mr. Millbrandt stated that earlier hearings for lot line adjustments seemed to be less stringent than the latest hearing.

Mr. Millbrandt also questioned whether Starch Mill Road moved? He stated that the intersection of Abbott Hill and Starch Mill Roads was formerly a "T" now it is a bend. Chairman Moser will check on road and road bounds in the area. Mr.

Millbrandt also had complaints on issues with his stonewalls and road maintenance again. Selectmen will review the area.

Barbara Devore recommends a Yield sign at end of Abbott Hill and Starch Mill Roads. Chairman Moser favored a stop sign instead. No decision was made on erecting a sign at this time.

Mrs. Devore also thanked the Board for their speedy response on her complaint about the activities at the Driving Range.

A note was made that Mary McDonald, Old Ashby Road, had come in to the town office to request a copy of the minutes for the McDonald Board of Adjustment variance hearing and continuance which occurred on May 19 and June 2, 2014.

The minutes were not available in the Board of Adjustment file cabinet. Chairman Moser will check with the B.O.A. Clerk on this matter.

Stephen Hoffman, Broadband Committee, mentioned that NRPC has some money left for Broadband coverage and may invest some for Mason. This could help with the DSL problem.

Selectman O'Grady discussed sending some of the HD employees to a Good Roads demonstration on July 21, 2014. It would cost either \$35 or \$55, depending on the lunch package. Selectmen felt this would be a morale booster for the employees. After more discussion, it was decided to allow five Highway Department employees to attend the July 21st program.

Public portion of Selectmen's meeting adjourned at 10:25PM.

A motion was made, seconded and voted in the affirmative by the Board to enter into a non-public session at 10:29 pm for RSA 91-A: 3, II (a). Present: Board of Selectmen and A.A. Milkovits. Minutes were taken by Selectman Lavoie. Session ended at 10:43 PM.

Respectfully submitted,
Barbara L. Milkovits
Administrative Assistant